

PROB 12B
(12/98)

United States District Court

for

District of Southern Ohio

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **Jordan Benjamin**

Case Number: **1:02CR00115**

Name of Sentencing Judicial Officer: **The Honorable S. Arthur Spiegel**
United States Senior District Judge

Date of Original Sentence: **April 15, 2003**

Original Offense: **Possession of A Firearm by a Convicted Felon**

Original Sentence: **51 month(s) prison, 36 month(s) supervised release**

Type of Supervision: **Term Of Supv Rel**

Date Supervision Commenced: **November 16, 2006**

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows: **As a condition of release, the offender will enter and successfully complete a Residential Re-entry Center (Talbert House) for a period of 120 days. The violation hearing will be held in abeyance for this time period.**

CAUSE

The offender violated the terms of supervision as outlined in the Petition-Probation Form-12, dated March 7, 2007 (positive urinalysis and new arrest conduct).

On March 20, 2007, the offender appeared before the Honorable Timothy S. Hogan, United States Magistrate Judge. He admitted the violations as alleged. The offender was ordered detained until he could be placed at the Talbert House residential re-entry center, pending a violation hearing (scheduled for April 12, 2007). It was learned that the Bureau of Prisons could not designate this offender and that funding for such a placement would have to come from the Probation department. It should be noted that the Probation department does not have the funding to facilitate this placement.

The offender, through counsel, has agreed to a sanction for the reported violations of supervision. He has signed a waiver to a hearing to modify his conditions of supervision, and has agreed to complete 120 days at a residential re-entry center.

At this time, it is requested that this modification be granted and that the pending violation hearing be held in abeyance, pending the offender's entrance into and successful completion of the Talbert House residential re-entry program.

Respectfully submitted,

Approved,

by

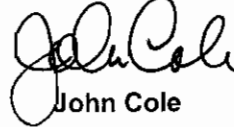


Michelle Merrett

U. S. Probation Officer

Date: **April 5, 2007**

by



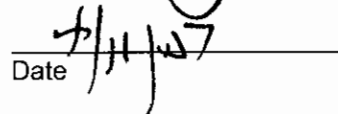
John Cole

Supervising U. S. Probation Officer

Date: **April 5, 2007**

THE COURT ORDERS:

- ☐ No Action
- ☒ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer
Date

PROB 49

**UNITED STATES DISTRICT COURT
Southern District of Ohio**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel" I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I also understand I have the right to contact an attorney prior to signing this waiver.

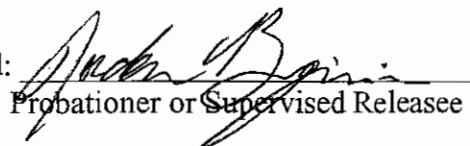
I hereby knowingly and voluntarily waive my right to consult an attorney before signing this waiver and I knowingly and voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

I, Jordan Benjamin, agree to have my conditions modified and will enter and successfully complete a residential re-entry center(Talbert House), for a period not to exceed 120 days. I agree to follow the rules and regulations of the program, and will also participate in substance abuse treatment as directed by the Probation Officer.

Witness:


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee

March 30, 2007

DATE